IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.91 OF 2006

In

WRIT PETITION NO.563 OF 2003

TX : Petitioner

V/s.

Union of India & Ors. : Respondents

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Ms Snehzad Mansuri with Ms Veena Johari and Mr.Prakash Mahadik for the petitioner.

Ms Deepa Chavan with Mr.D.A. Dube for the respondents.

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CORAM : H.L.GOKHALE & S.R.DONGAONKAR,JJ.

DATE : MARCH 24, 2006.

P.C.

1. Heard Ms Mansuri in support of this Motion. Ms Chavan appears for all the respondents.

2. The petition has been filed seeking re-engagement in Naval Forces. During the pendency of this petition, the present Motion has been taken out. There are three prayers herein. The first prayer is to permit the petitioner to withdraw his retirement dues, pension and

medical pension amounts. As far as this prayer is concerned, Ms Chavan informs that the petitioner has been intimated about the formalities to be complied with by letters dated 20.2.2003 and 16.4.2003. The petitioner may comply with the necessary requisitions. Thereafter, we expect the respondents to release the necessary benefits to the petitioner.

3. Prayer clause (b) is for identity card/pass to have access to his Bank account with Punjab National Bank. The petitioner has to be given some card known as "retirement card" for that purpose.

4. As far as prayer clause (b) is concerned, Ms Chavan informs that there are some retirement documents which are forwarded to the petitioner, which he is supposed to sign and upon the petitioner signing the same, the retirement card will be given to him.

5. Prayer clause (c) is for medical facilities. Ms Chavan states that the petitioner has been forwarded the necessary documents which he has to sign in acceptance and, thereafter, the medical facilities will follow.

6. This Motion has been taken out without prejudice to the submissions and the prayer in the main petition for

re-engagement in service. The petitioner will be signing all these documents without prejudice to the submissions and prayers in the main petition and as a matter of interim measure, all these benefits will be available to him under the orders of this Court.

7. Notice of Motion stands disposed of.

H.L. GOKHALE, J.

S.R.DONGAONKAR, J.